

## United States District Court

EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

ANTHONY PRESCOTT

v.

JEFFERY CATOE, ET AL.

§

§

§

§

§

Civil Action No. 4:20-CV-169

(Judge Schell/Judge Nowak)

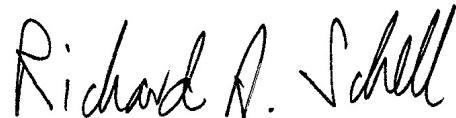
### **MEMORANDUM ADOPTING REPORT AND RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the report of the United States Magistrate Judge in this action, this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636 (Dkt. #2). On April 7, 2021, this case was transferred to the undersigned (Dkt. #83). On March 1, 2023, the report of the Magistrate Judge (Dkt. #116) was entered containing proposed findings of fact and recommendations that *pro se* Plaintiff Anthony Prescott's civil rights lawsuit pursuant to 42 U.S.C. § 1983 be dismissed. Although discussed within the report, the report does not specifically recommend a dismissal with prejudice.

Having received the report of the Magistrate Judge, and Plaintiff's Objections thereto having been timely filed (Dkt. #118) and reviewed *de novo*, the court is of the opinion that the findings and conclusions of the Magistrate Judge are correct and adopts the Magistrate Judge's report as the findings and conclusions of the court.

It is therefore **ORDERED** that *pro se* Plaintiff Anthony Prescott's case is **DISMISSED without prejudice**. All motions by either party not previously ruled on are hereby **DENIED**.

**SIGNED this the 22nd day of March, 2023.**



RICHARD A. SCHELL  
UNITED STATES DISTRICT JUDGE